



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/891,301	07/10/1997	KENNETH HARRENTIEN	224/183	5720

22249 7590 05/08/2002

LYON & LYON LLP  
633 WEST FIFTH STREET  
SUITE 4700  
LOS ANGELES, CA 90071

EXAMINER

TRAN, PABLO N

ART UNIT

PAPER NUMBER

2684

DATE MAILED: 05/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

34

# Office Action Summary

Application No.

08/891,301

Applicant(s)

HARRENSTIEN ET AL.

Examiner

Pablo N Tran

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) 9 and 13-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-12, 16-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed 02/19/02 have been fully considered but they are not persuasive.

In response to the Applicant's arguments, Applicant state that "*Verkler et al.* fails to disclosed that transmitting a message from a transceiver associated with the server directly to a transceiver associated with the client station in response to the server having information for the client station without the client station initiating to establish a connection to the server". *Verkler et al.* disclosed a method for transmitting information from a server to a client station in a mobile-based client-server system wherein determining whether the server has information to be transmitted to the client station without the client station initiating to establish a connection to the server and transmitting a message from the server's transceiver directly to a client's transceiver indicating the server has information for the client station (col. 4/ln. 12-16). *Verkler et al.* further disclosed a wireless link (fig. 1/no. 105) but does not specifically disclosed transceivers associated with the server and client station. However, it is inherent that both the server and client station comprises transceivers associated with the server and transceivers associated with client station in order to provide a wireless communication path between the client and server.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-8, 10-12, and 16-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Verkler et al.* (5,850,517) in view of *Eggleston et al.* (5,958,006).

As per claims 1-6, 10-12, 16-20, and 22-25, *Verkler et al.* disclosed a method for transmitting information from a server to a client station in a mobile-based client-server system wherein determining whether the server has information to be transmitted to the client station without the client station initiating to establish a connection to the server and transmitting a message from the server's transceiver directly to a client's transceiver indicating the server has information for the client station (col. 4/ln. 12-26) and the client station can establish a log-on connection with the server based on the telephonic address (col. 3/ln. 3-13);

*Verkler et al.*, disclosed a wireless link (fig. 1/no. 105) but does not specifically disclosed transceivers associated with the server and client station. However, it is inherent that both the server and client station comprises transceivers associated with the server and transceivers associated with client station in order to provide a wireless communication path between the client and server. Furthermore, *Verkler et al.* disclosed the agent (fig. 1/no. 102) resides on a LAN at a fixed location (col. 3/ln. 55-57). It is obvious that the agent be incorporated as a mechanism, an integral part, of

Art Unit: 2684

the server to handle or simplified communication with the client in order to save space and money.

*Verkler et al.* disclose such information data type (col. 4/ln. 27-34) but does specifically disclosed evaluating the information at the server to provide the client a summary of type and quantity of information is awaited for the client at the server.

*Eggleston et al.* disclose such summary of type and quantity of information (abstract, fig. 3-4, col. 2/ln. 66-col. 4/ln. 3). Therefore, it would have obvious to one of ordinary skill in the art to modify and apply a method for communicating summarized data as taught by *Eggleston et al.* to a communication link for client-server as discussed by *Verkler et al.* in order to save time and tariff charge of downloading selected type and quantity of information as selected by the client.

As per claims 7-8 and 21, *Verkler et al.* in view of *Eggleston et al.* further disclosed transmitting the message between GSM based transceivers (see *Eggleston et al.*, col. 4/ln. 35).

*Verkler et al.* in view of *Eggleston et al.* does not disclosed transmitting the message in an SMS paging message format. However, such is notoriously well known in the art the Examiner takes official notice of such. Therefore, it would have been obvious to one of ordinary skill in the art at the time to utilize the method of SMS paging message, well known in the art, in conjunction with a communication link for client-server system as discussed by *Verkler et al.* in view of *Eggleston et al.* in order to save time and tariff charge.

**Conclusion**

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pablo Tran whose telephone number is (703)308-7941. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Hunter, can be reached at (703)308-6732.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

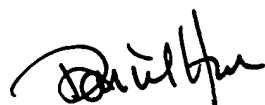
**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Pablo Tran

Examiner, Art Unit 2684



DANIEL HUNTER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

May 3, 2002